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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,710

01/10/2005

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06/14/2007

EXAMINER

LE, JOHN H

ART UNIT

PAPER NUMBER

2863

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/520,710	TSIGIROGLOU, KIRIAKOS	
	Examiner	Art Unit	
	John H. Le	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This office action is in response to applicant's amendment received on 03/26/2007.

Claims 1-10 have been cancelled.

Claims 11-12 have been added.

The specification has been amended.

Claim Objections

2. Claim 11 is objected to because of the following informalities:

Claim 11, all () must be avoid.

Claim 11 recites the limitation " the monitored parameters " in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 11, line 6, "processes" is unclear what process.

Claim 11, line 4, "produce (the sensors)" should change to --the sensors produce--.

Claim 11, line 13, "status of doors (open/closed)" should change to – status of doors for open or closed--.

Claim 11, line 14, "generator status (running or not)" should change to – generator status for running or not--.

Claim 11, line 15, "(the processing means) collect, compare and combine" should change to – the processing means for collecting, comparing and combining--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

Art Unit: 2863

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A single claim which claims both an apparatus and the method steps of using the apparatus is indefinite under 35 U.S.C. 112, second paragraph. In *Ex parte Lyell*, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990), a claim directed to an automatic transmission workstand and the method steps of using it was held to be ambiguous and properly rejected under 35 U.S.C. 112, second paragraph.

Such claims should also be rejected under 35 U.S.C. 101 based on the theory that the claim is directed to neither a "process" nor a "machine," but rather embraces or overlaps two different statutory classes of invention set forth in 35 U.S.C. 101 which is drafted so as to set forth the statutory classes of invention in the alternative only. *Id.* at 1551.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kutzik et al. (US 2005/0278409) in view of Steinthal et al. (US 7,034,677 correspond to US Provisional Application 60397135).

Regarding claim 1, Kutzik et al. teach an electronic device of compact design and construction characterized in that the above device collects, processes and transmits

Art Unit: 2863

data from a specific area, which it supervises, to an information collection system, located at a long distance from the supervised area (e.g. Figs.1, 3, [0021]). The device in concern comprises a microprocessor (110), and sensors (112, 116, 120, 124) connected to it. Kutzik et al. teach an electronic device contains a combination of some of the following sensors: temperature monitoring and indication (e.g. [0163]), water level monitoring and indication (e.g. [0072]-[0076]), smoke detection and indication (e.g. [0068]-[0069]), open door monitoring and indication (e.g. [0162]), power supply battery voltage monitoring and indication (e.g.[0078]); intruder monitoring and indication (e.g. [0023]), wherein the electronic device integrates on the electronic printed circuit of two or more additional independent relay circuits serving the signaling needs (e.g. [0062]); wherein the electronic device is designed for use in the antenna shelters (home) of mobile telephony (e.g. [0027], [0039], [0104], [0171]).

Kutzik et al. fail to teach the processing means and electronic printed circuit whereas the sensors are external and interface connected with the printed circuit board.

Steinthal et al. teach the processing means (processor 120, Fig.3b) and electronic printed circuit (Fig.5); whereas the sensors are external and interface (interface 115) connected with the printed circuit board (see Fig.3b)(col.7, lines 63-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the processing means and electronic printed circuit whereas the sensors are external and interface connected with the printed circuit board as taught by Steinthal et al. in an electronic monitoring system of Kutzik et al. for the purpose of providing an optimal way to notify and protect personnel against known and

unknown environmental conditions and events such as airborne chemical hazards without having to be handled (Steinthal et al., Col.2, lines 50-54).

Allowable Subject Matter

7. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 12, none of the prior art of record teaches or suggests the combination of an electronic device of compact design and construction, wherein the device comprising: a) the sidewalls open for allowing passage and mounting of the circuits connecting cables at the internal part of the case with external peripheral devices. b) metallic supports for mounting the electronic printed circuit on the receptacle base. c) metallic duct in the case base for driving and protection of the power cable. d) grounding posts for electromagnetic and safety grounding. e) a grounding post on the detachable cover, connected with the grounding of the main body for complete electromagnetic shielding and safety. f) a special metallic base for battery mounting and support. g) points of support of the transformer. h) metal strips welded on the external surface of the main body of the case base 290X76 mm with openings for side mounting of the device in racks. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Response to Arguments

8. Applicant's arguments filed 03/26/2007 have been fully considered but they are not persuasive.

-Applicant argues that the prior did not teach "circuit printed board interface connect to the external sensors" as cited in claim 11.

Examiner position is that Steinthal et al. teach electronic printed circuit (Fig.5); whereas the sensors are external and interface (interface 115) connected with the printed circuit board (see Fig.3b) (e.g. Col.7, lines 63-67).

-Applicant argues that the prior did not teach, "the electronic device is designed for use in the antenna shelters of mobile telephony" as cited in claim 11.

Examiner position is that Kutzik et al. teach the electronic device is designed for use in the antenna shelters (home) of mobile telephony (e.g. [0027], [0039], [0104], [0171]).

-Applicant argues that the prior did not teach, "a security monitoring system".

Examiner position is that a security monitoring system does not describe in the claim.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Art Unit: 2863

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Specifically Steinthal et al. has been added to second ground of rejection.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John H. Le whose telephone number is 571 272 2275. The examiner can normally be reached on 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571 272 2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John H. Le

Patent Examiner-Group 2863

June 7, 2007

BRYAN BUI
PRIMARY EXAMINER



6/11/07